

September 20, 2016

**SUBMITTED ELECTRONICALLY VIA ECFS**

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re:** Notice of *Ex Parte* Communication in MB Docket No. 16-42 and  
CS Docket No. 97-80 – *In the Matter of Expanding Consumers' Video Navigation  
Choices; In the Matter of Commercial Availability of Navigation Devices*

Dear Ms. Dortch:

On September 16, 2016, the undersigned, together with Joseph E. Young, Senior Vice President and General Counsel of Mediacom Communications Corporation (“Mediacom”); Thomas J. Larsen, Mediacom’s Senior Vice President, Government and Public Relations; John Pascarelli, Mediacom’s Executive Vice President, Operations; and J.R. Walden, Mediacom’s Senior Vice President, Engineering (the “Mediacom Representatives”), met regarding the above-referenced proceedings with Jessica Almond, Chairman Wheeler’s Legal Advisor, Media, Public Safety, and Enforcement; Gigi Sohn, Counselor to Chairman Wheeler; and Stephen Klein of Chairman Wheeler’s staff. The Mediacom Representatives and the undersigned also met regarding the above-referenced proceedings separately with David Grossman, Commissioner Clyburn’s Chief of Staff and Media Policy Advisor and with Marc Paul, Legal Advisor to Commissioner Rosenworcel.

During each of these meetings, the Mediacom Representatives focused on reports that the small operator exemption from the Chairman’s “Apps Proposal” would apply only to providers with fewer than 400,000 subscribers and that providers between 400,000 and one million subscribers would be required to comply with the new regulatory regime within four years (rather than the two year compliance deadline for operators with more than one million subscribers). Mediacom believes that it is one of only two entities below one million subscribers that would not be completely exempt from the proposed rules.

The Mediacom Representatives described how the burdens that a mid-sized company such as Mediacom will face in complying with the Apps Proposal are in many instances greater than the burdens faced by companies that would be completely exempt from the new rules. The

**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

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Mediacom Representatives emphasized that a “waiver” approach would not provide the same degree of certainty as a complete exemption. Moreover, to the extent that the Commission continues to believe a complete exemption for mid-sized companies is not necessary or appropriate, it should consider increasing the proposed deferral period for such companies from four years to seven years so as to provide a transition period more commensurate with the financial and technical burdens that mid-sized companies will face in converting to an IP platform and implementing the new rules’ apps and search requirements.

If there are any questions regarding this matter, please communicate directly with the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Seth A. Davidson', with a long horizontal flourish extending to the right.

Seth A. Davidson  
*Counsel to Mediacom  
Communications Corporation*

cc: Jessica Almond  
Gigi Sohn  
Stephen Klein  
David Grossman  
Marc Paul